

PTO/SB/08a/b (08-03)  
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<b>Substitute for Form 1449A/B/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		<b>Complete if Known</b>			
		Application Number	10/616,412-Conf. #9294		
		Filing Date	July 8, 2003		
		First Named Inventor	Alan R. Atemboski		
		Art Unit	3749		
		Examiner Name	J. C. Yeung <i>C. Price</i>		
Sheet	1	of	4	Attorney Docket Number	243148001US3

U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
<i>JP</i>		US-6,443,726	10-18-2001	Alan Atemboski	
<i>JP</i>		US-6,260,548	07-17-2001	PHILIP WADE	
<i>JP</i>		US-6,244,263	06-12-2001	ERICH SCHLOSSER	
<i>JP</i>		US-6,036,474	03-14-2000	DUNG (DAVID) DIEP	
<i>JP</i>		US-5,941,237	08-24-1999	RONALD J. SHIMEK	
<i>JP</i>		US-5,890,485	04-06-1999	RONALD J. SHIMEK	
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<i>JP</i>		US-5,655,513	08-12-1997	OLIVER J. WHITFIELD	
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<i>JP</i>		US-5,318,438	06-07-1994	TATSUYA SUGAHARA	
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<i>JP</i>		US-5,113,843	05-19-1992	DANIEL S. HENRY	
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<i>JP</i>		US-4,828,485	05-09-1989	VINCENT P. JANKOWSKI	
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<i>JP</i>		US-4,672,946	06-16-1987	RICHARD D. CRAVER	
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<i>JP</i>		US-4,611,572	09-16-1986	DONALD S. MARTENSON	
<i>JP</i>		US-4,602,609	07-29-1986	PETER WRIGHT	
<i>JP</i>		US-4,485,972	12-04-1984	ELMER C. FREBER	
<i>JP</i>		US-4,305,372	12-15-1981	LINUS KWANG-RIUL HAHN	
<i>JP</i>		US-4,194,489	03-25-1980	Swain	
<i>JP</i>		US-4,141,336	02-27-1979	Fitch	
<i>JP</i>		US-4,061,133	12-06-1977	Swain	

Examiner Signature	<i>C. Price</i>	Date Considered	<i>7/5/05</i>
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				Art Unit	3749
				Examiner Name	J. C. Yeung <i>C. Price</i>
Sheet	2	of	4	Attorney Docket Number	243148001US3

<i>[Signature]</i>	US-3,993,430	11-23-1976	Forker	
<i>[Signature]</i>	US-3,638,635	02/1972	DRENNAN	
<i>[Signature]</i>	US-3,042,109	07/1962	Peterson	
<i>[Signature]</i>	US-2,671,440	03-09-1954	R.R. Dupler	
<i>[Signature]</i>	US-1,286,108	11-26-1918	V. I. Richards	
<i>[Signature]</i>	US-1,216,848	02-20-1917	G. F. Schmidt	
<i>[Signature]</i>	US-1,156,735	10-12-1915	W. A. Wilson	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (If known)	MM-DD-YYYY			
		GB-2,068,106	08-05-1981	VALOR NEWHOME LIMITED, et al.		
		EP-0,194,157	09-10-1986	MORGAN REFRACTORIES LIMITED		
		GB-429,115	05-24-1935	JOHN EDWARD THORNTON		
		GB-2,179,438	03-04-1987	Flamelog and Coal Fires Limited		
		FR-002629178A1	09-29-1989	MULLER CIE		
		GB-2,198,836	06-22-1988	Grate Glow Fires Limited		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
<i>[Signature]</i>		Johnson Gas Appliance Company, Mendota Division, company literature regarding "Heat Producing Gas Fireplace Insert, Installation & Operating Instructions" (undated, 24 pages)	
<i>[Signature]</i>		Johnson Gas Appliance Company, Mendota Division, "Mendota Hearth" product brochure regarding Mendota Hearth inserts and fireplaces (undated)	
<i>[Signature]</i>		Travis's Responsive Claim Construction Brief, Travis Industries, Inc. v. Hearth & Home Technologies, Inc., et al., USDC Western District of Washington Case No. C03-2526P, dated August 25, 2004	
<i>[Signature]</i>		Plaintiff Travis Industries, Inc.'s Answers to Defendants' First Set of Interrogatories (Nos. 1-16), Travis Industries, Inc. v. Hearth & Home Technologies, Inc., et al., USDC Western District of Washington Case No. C03-2526P, dated January 12, 2004	
<i>[Signature]</i>		Hearth & Home's and Hon's Preliminary Invalidity Contentions Regarding U.S. Patent No. 6,443,726, Travis Industries, Inc. v. Hearth & Home Technologies, Inc., et al., USDC Western District of Washington Case No. C03-2526P, dated February 17, 2004	
<i>[Signature]</i>		Hearth & Home's and Hon's Preliminary Invalidity Contentions, Travis Industries, Inc. v. Hearth	
Examiner Signature	<i>C. Price</i>		Date Considered <i>7/5/05</i>

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		First Named Inventor	Alan R. Atemboski
		Art Unit	3749
		Examiner Name	J.C. Young C. Price
		Attorney Docket Number	243148001US3
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	& Home Technologies, Inc., et al., USDC Western District of Washington Case No. C03-2526P, dated January 20, 2004	
	[Hearth & Home's and Hon's] First Amended Answer and Counterclaims, Travis Industries, Inc. v. Hearth & Home Technologies, Inc., et al., USDC Western District of Washington Case No. C03-2526P, dated February 19, 2004	
	Hearth & Home's and Hon's Amended Preliminary and First Supplemental Invalidity Contentions Regarding U.S. Patent No. 6,602,068, Travis Industries, Inc. v. Hearth & Home Technologies, Inc., et al., USDC Western District of Washington Case No. C03-2526P, dated June 14, 2004	
	Hearth & Home's and Hon's Amended Preliminary and First Supplemental Invalidity Contentions Regarding U.S. Patent No. 6,443,726, Travis Industries, Inc. v. Hearth & Home Technologies, Inc., et al., USDC Western District of Washington Case No. C03-2526P, dated June 14, 2004	
	Joint Claim Chart, Travis Industries, Inc. v. Hearth & Home Technologies, Inc., et al., USDC Western District of Washington Case No. C03-2526P, dated July 26, 2004	
	Travis's Opening Claim Construction Brief, Travis Industries, Inc. v. Hearth & Home Technologies, Inc., et al., USDC Western District of Washington Case No. C03-2526P, dated August 12, 2004	
	Report of Charles H. Gibbons, Jr. as to Claim Construction Issues, Travis Industries, Inc. v. Hearth & Home Technologies, Inc., et al., USDC Western District of Washington Case No. C03-2526P, dated February 16, 2004	
	Hearth & Home's and Hon's Opening Markman Brief, Travis Industries, Inc. v. Hearth & Home Technologies, Inc., et al., USDC Western District of Washington Case No. C03-2526P, dated August 12, 2004	
	Praeipce Replacing Page 8 of Travi's Opening Claim Construction Brief, Travis Industries, Inc. v. Hearth & Home Technologies, Inc., et al., USDC Western District of Washington Case No. C03-2526P, dated August 13, 2004	
	Praeipce Replacing Pages 14 and 18 of Hearth & Home's and Hon's Opening Markman Brief, Travis Industries, Inc. v. Hearth & Home Technologies, Inc., et al., USDC Western District of Washington Case No. C03-2526P, dated August 16, 2004	
	Hearth & Home's and Hon's Response Markman Brief, Travis Industries, Inc. v. Hearth & Home Technologies, Inc., et al., USDC Western District of Washington Case No. C03-2526P, dated August 25, 2004	
	Transcript of Proceedings Before the Honorable Marsha J. Pechman United States District Judge, Travis Industries, Inc. v. Hearth & Home Technologies, Inc., et al., USDC Western District of Washington Case No. C03-2526P, dated October 1, 2004	
	Order on Claim Constructions, Travis Industries, Inc. v. Hearth & Home Technologies, Inc., et al., USDC Western District of Washington Case No. C03-2526P, dated October 18, 2004	
	Hearth & Home's and Hon's Answers to Plaintiffs Second Set of Interrogatories (Nos. 7-12), Travis Industries, Inc. v. Hearth & Home Technologies, Inc., et al., USDC Western District of Washington Case No. C03-2526P, dated December 3, 2004	
	GIBBONS, Charles H.; Project: Invalidity Report on '068 & '726 Patent Infringement Case Hearth & Home Technologies, Inc. vs. Travis Industries, Inc., December 10, 2004	
	Hearth & Home's and Hon's Motion for Summary Judgment of Invalidity of U.S. Patent Nos. 6,602,068 and 6,443,726 for Failure to Comply with 35 U.S.C. § 112, Travis Industries, Inc. v. Hearth & Home Technologies, Inc., et al., USDC Western District of Washington Case No.	

Examiner Signature	C. Price	Date Considered	7/5/05
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(Use as many sheets as necessary)		Art Unit	3749
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Sheet	4	of	4
		Attorney Docket Number	243148001US3

	C03-2526P, dated January 14, 2005	
	Defendants' Motion for Partial Summary Judgment of Invalidity Based Upon Anticipation, Travis Industries, Inc. v. Hearth & Home Technologies, Inc., et al., USDC Western District of Washington Case No. C03-2526P, dated January 14, 2005	
	Hearth & Home's 7000 Burner Assembly (Exhibit A) (6 pages)	
	Hearth & Home's 36T Burner Assembly (Exhibit B); (4 pages)	
	Hearth & Home's 7000 Burner Assembly, Modified Burner Body (Exhibit L) (2 pages)	
	Hearth & Home's CFL Burner Assembly (Exhibit M) (1 page)	
	Hearth & Home's PTO-DIY Burner Assembly (Exhibit N) (5 pages)	
	Hearth & Home's CFX-DA Burner Assembly (Exhibit O) (1 page)	
	Hearth & Home's CFX-ZC Burner Assembly (Exhibit P) (2 pages)	
	Hearth & Home's PTO-CF Burner Assembly (Exhibit Q) (2 pages)	
	Disclosure of Expert Testimony of Dr. L. Douglas Smoot Pursuant to Fed. R. Civ. P. 26(A)(2), dated December 10, 2004	
	7000 TR Installers Guide: HEAT-N-GO, a division of Hearth Technologies Inc., Savage, MN; "Heat-N-Glo Fireplace, Installers Guide", Models: 7000 TR, copyright 1998 (54 pages from Charles H. Gibbons' December 10, 2004 Invalidity Report)	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	C. Price	Date Considered	7/5/05
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